



Docket: 2862 US (203-3506)

3721
JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank J. Viola

Examiner: Lopez, Michelle

Group Art Unit: 3721

Serial No: 10/529,568

Filed: March 28, 2005

For: Tool Assembly for Surgical Stapling Device

CERTIFICATE OF MAILING

Date of Deposit: June 26, 2006

I hereby certify that the following:

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed June 1, 2006 in connection with the above referenced application, please consider the following remarks.

REMARKS

Applicants elect to prosecute the claims of group I, claims 17-27. The remaining claims are withdrawn from consideration. These claims, however, are subject to reinstatement in the event the requirement for restriction is withdrawn or overruled.

Despite the provisional election, applicants traverse the restriction requirement. It is respectfully submitted that the Examiner should reconsider the restriction requirement in view of the fact that the separate classification of the subject matter under the classification system of the United States Patent an